

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
NO. 4:12-CR-88-1H**

UNITED STATES OF AMERICA

v.

STEPHEN A. LaROQUE

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AMENDED CONSENT RESTRAINING ORDER

THIS MATTER IS BEFORE THE COURT based on the consent of the parties for entry of an amended consent restraining order pursuant to the All Writs Act, 28 U.S.C. § 1651. For good cause shown, it is hereby ORDERED that the Consent Restraining Order previously entered by the Court, [DE-189], is modified as follows:

The Consent Restraining Order is LIFTED as to the following real property only, subject to the terms set forth below:

- 1. The real property located at 1820 Dupree Street in Kinston, North Carolina 28504, and described in Book 1100, Page 71 of the Lenoir County Register of Deeds;**
- 2. The real property located at 1822 Dupree Street in Kinston, North Carolina 28504, and described in Book 1100, Page 71 of the Lenoir County Register of Deeds;**
- 3. The real property located at 2610 Cabin Branch, in Kinston, North Carolina 28504, and described in Book 1597, Page 729 of the Lenoir County Register of Deeds (collectively "REAL PROPERTY").**

IT IS FURTHER ORDERED that the \$56,100.00 in funds held in the attorney trust account of Keith A. Williams, counsel to Stephen A. LaRoque is and shall remain **RESTRAINED** pursuant to the terms set forth in the Consent Restraining Order, DE-189, pending resolution of this matter and shall be applied to any restitution or fine ordered by the court against Stephen A. LaRoque in this matter.

IT IS FURTHER ORDERED that, Stephen A. LaRoque shall be allowed to conduct a private sale of the **REAL PROPERTY** at the market value, subject to approval by the United States Attorney's Office, Financial Litigation Unit. If the **REAL PROPERTY** is not sold by private sale within one hundred and twenty (120) days of entry of this Amended Consent Restraining Order, Stephen A. LaRoque shall, as soon as practicable but no later than forty-five days from the expiration of the 120-day period, list the **REAL PROPERTY** for sale at the market value with the following auction company: Rogers Realty & Auction Co., Inc., located at 1310 EMS Drive in Mount Airy, North Carolina 27030, Telephone Number (336) 789-2926. Prior to the closing of any sale of the **REAL PROPERTY**, the HUD Settlement Statement indicating the terms of the sale shall be provided to the United States Attorney's Office, Financial Litigation Unit, who must approve the HUD Settlement Statement prior to the completion of the real estate closing. If necessary, the parties may petition the court for appropriate relief if an agreement cannot be reached on any issue relating to a sale of the **REAL PROPERTY**.

IT IS FURTHER ORDERED that, all net proceeds¹ of the sale of the **REAL PROPERTY** shall be held in the attorney trust account of Keith A. Williams, counsel to Stephen A. LaRoque,

¹ Net proceeds will be the amount received by the seller after all reasonable and necessary costs and expenses relating to the sale of the property are deducted from the gross proceeds of the sale, such as North Carolina mortgages, reasonable sales commission, recording costs, state property

pending resolution of this matter and shall be applied at sentencing to any restitution or fine ordered by the Court in this matter.

IT IS FURTHER ORDERED that the property owner(s) are required to maintain the present condition of the REAL PROPERTY, including timely payment of all loan payments and insurance, taxes, and assessments until further order of this Court. The Government is hereby authorized to enter said REAL PROPERTY to videotape conditions in order to verify that said properties are being maintained, subject to providing three (3) days' notice to Stephen A. LaRoque through counsel.

IT IS FURTHER ORDERED that any financial institutions holding liens on the REAL PROPERTY shall respond promptly to requests by the Government for information on said lienholder's current status.

IT IS FURTHER ORDERED that the United States or Stephen A. LaRoque may seek modifications of this Order if it is deemed necessary by them to preserve their interest in the Subject Property.

IT IS FURTHER ORDERED that the Attorney General or his designee shall promptly serve a copy of this Amended Consent Restraining Order upon Stephen A. LaRoque and any other party having a potential interest in or claim to the identified property, including any financial institution or lessee, and shall make a return thereon reflecting the date and time of service.

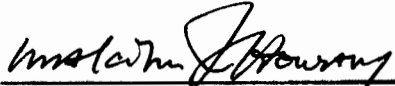
IT IS FURTHER ORDERED as evidenced by her signature below that Stephen A. LaRoque's wife, Susan R. LaRoque, shall be bound to the terms and conditions of this Amended

taxes, payment of any judgment liens, and other normal, ordinary and typical expenses incurred by the seller of real estate in the State of North Carolina.

Consent Restraining Order. Susan R. LaRoque further agrees that she will execute any and all documents necessary to affect the sale of any of the REAL PROPERTY in which she holds an interest. Susan R. LaRoque further agrees that she consents to any of the property referenced herein, or the proceeds from the sale of any of the property referenced herein, to be applied at sentencing toward any restitution or fine ordered by the Court against Stephen A. LaRoque in this matter.

THIS RESTRAINING ORDER shall remain in full force and effect until further order of this Court.

ORDERED this the 2 day of March, 2015.


HONORABLE MALCOLM J. HOWARD
Senior United States District Judge
Eastern District of North Carolina


WITH CONSENT:


STEPHEN A. LAROQUE

DATE: 2-17-15


SUSAN R. LAROQUE

DATE: 2-17-15


KEITH WILLIAMS
Attorney for Stephen A. LaRoque

DATE: 2/17/15

THOMAS G. WALKER



BY: JOSHUA B. ROYSTER

Attorney for the United States of America

DATE: 2/27/15